

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25382 of 2015

Arising Out of PS.Case No. -1221 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

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Nishant Tandon S/o Late Ashok Tandon R/o House No. 572, Ground Floor,
Sector - 4, Vaishali, Dist. - Gaziabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Nupur Tandon W/o Nishant Tandan, D/o Sri Rakesh Kumar
Tandon R/o Ram Bux Lane, Chowk, P.S. Chowk, District - Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Chandra Agrawal

For the Opposite Party/s : Mr. Arun Kumar Singh-5(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

04/ 01-10-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case wherein
process has been directed to be issued after cognizance being
taken for the offences punishable under Section 498A of the
Indian Penal Code and 3/4 of Dowry Prohibition Act.

The basic accusation is of torture for non-
fulfillment of the dowry demand.

The petitioner and the complainant are present.

On the joint prayer of the parties, the matter was

referred to the Mediation and the report of the Mediator dated 01.10.2015 at Flag 'X' reflects that the mediation could not conclude due to paucity of time. On the joint prayer of the parties the matter is being taken up on merits.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage and birth of a female child and is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in paragraph 16 of the petition, which reads as follows:-

“That the petitioner is ready to keep her wife with him with full dignity and honour.”

It is submitted by learned counsel for the complainant that the complainant is ready to accept the offer of the petitioner.

It is admitted between the parties that the complainant will join the petitioner at Gaziabad where he is employed on 13th or 14th of this month.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for one year in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two

sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Patna City, Patna in connection with Complaint Case No. 1221 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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